

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, AUGUST 19, 2004
8:15 A.M.**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Deb Schorr
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Melissa Koci, County Clerk's Office

The Chair opened the meeting at 8:13 a.m..

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY, AUGUST 12, 2004 AND AUGUST 17, 2004

MOTION: Workman moved and Heier seconded approval of both sets of minutes. Workman, Heier, Hudkins and Stevens voted aye. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Sinclair Hille Contract for Sheriff's Garage
- B. Press Release Regarding Recognition of Disaster Responders
- C. Email from Bill Kostner Regarding Health Insurance Costs
- D. Press Release Regarding Budget Decisions

MOTION: Heier moved and Hudkins seconded approval of the additions to the agenda. Workman, Heier, Hudkins and Stevens voted aye. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Sinclair Hille Contract for Sheriff's Garage

Eagan reported there is still a contract on hold with Sinclair Hille for architectural services for the construction of the Sheriff's garage that needs to be approved and paid and he wanted some direction as to what to do with the contract.

The Board agreed the contract should go on next Tuesday's agenda.

B. Press Release Regarding Recognition of Disaster Responders

Eagan distributed a copy of the Press Release and Volunteer Recognition Ceremony regarding the recognition of disaster responders (Exhibit A & B).

MOTION: Heier moved and Hudkins seconded to issue the press release and order of events for the recognition of disaster responders. Stevens, Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

C. Email from Bill Kostner Regarding Health Insurance Costs

Eagan reported he received an email from Bill Kostner regarding health insurance costs (Exhibit D). He said the County could continue to use Continuum and drop Care 24, only keeping the nurseline. Eagan said this would save approximately \$1 per person or about \$1,000 per month in the United Health Care contract if this change were made.

Hudkins asked about Care 24 and what they would be losing if they dropped it.

The Board agreed to have Bill Kostner come to a staff meeting to clarify what Care 24 is.

D. Press Release Regarding Budget Decisions

Heier said he was disappointed in the article in the paper because it stated each homeowner's taxes would be raised \$10 to \$30, which is not correct. Heier said the taxes will go up around \$11.50 of every \$100,000 because the Board decided to fund Developmental Disabilities through the end of the year.

Hudkins said he was concerned after he heard the news report on the radio because it left the impression the County was cutting off funding mid-stream and it did not mention the Board had extended the contract until it could get to the Legislature.

MOTION: Hudkins moved and Workman seconded to direct Kerry Eagan and Gwen Thorpe to prepare a news release including the correct information about the increase to people's taxes, funding of Developmental Disabilities through the end of the year and how much was cut out of the budget with a release to the general media, television and radio. Stevens, Workman, Hudkins and Heier voted aye. Schorr was absent from voting. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. INFORMATION SERVICES POLICY COMMITTEE - Stevens

Stevens reported a person can now go online through Interlinc and prepay for Nebraska Husker Football parking at the City parking lots. He also said the PeopleSoft Software package for the accounting system is running into some rough spots and causing a few problems.

B. PUBLIC BUILDING COMMISSION CHAIR/VICE CHAIR AND MAYOR - Hudkins

Hudkins reported the committee met with Mayor Seng and the main discussion was the Health Department and bonds. He said the bonds were placed very favorably, the County was on a 10-year issue at 3.73 and the City went on a 20-year issue at 4.37, so there was a good sale on the bonds. Hudkins also noted there was some discussion on the valuation of the land by Woods Park for the new parking lot and the estimated costs are about \$375,000.

C. LIBA BUDGET MONITORING COMMITTEE - Stevens, Workman

Workman reported Mike Thurber, Corrections Director, gave a report on Corrections and jail overcrowding.

Stevens reported the committee discussed the City's Fire and Pension Plans and their being underfunded.

Schorr arrived at 8:28 a.m.

4 YOUTH SERVICES REORGANIZATION PLAN - Dennis Banks, Youth Services Director

Dennis Banks, Youth Services Director, appeared and reported he has a reorganization plan which may impact sick leave usage and prevent youth from the staff secure facility from either climbing over or under the outdoor courtyard fence.

Banks first indicated he would like to go to shift bidding and he was able to negotiate at least six 12-hour shifts, which is more shift relief. He said right now his staff is provided 30-minute lunch breaks and he will no longer provide lunch breaks. Banks said he will implement 8 hour shifts instead of 8½ hour shifts and each employee will take a lunch using their two 15-minute breaks.

John Cripe, Classification and Compensation Manager, appeared and said Banks has about two full vacancies every year which amounts to roughly 4,160 hours. He said by the time the advertisement is done and the employee is hired and trained, the relief that they had was lost. Cripe suggested having flexibility to hire a position or two more than his FTE's because during the course of the year it plays through.

Heier asked what the dollar amount would be to hire additional FTE's.

Banks said he did not have those figures.

Banks also noted they had a youth that escaped in June through one of the two blind spots which needs to be corrected. He said it would cost \$9,712 to fix the problem and he did not budget for it.

MOTION: Workman moved and Heier seconded to approve \$9,712 to fix the Youth Services Centers security problems, take it out of the building or contingency fund and consult with Sinclair Hille about the construction. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

Brian Farmer, Youth Services Center Program Director, appeared and gave a brief presentation about one of the programs he runs.

Banks also indicated he has a new horticulture program where the youth in staff secure go outside the fence to do work and he wondered if the Board was okay with that.

The Board said as long as the judge makes the decision to place the youth where they are and they are not a danger to themselves or society, they do not have a problem with that.

Cripe reported the cost to replace three full-time employees is about \$137,000 and if two FTE's are hired, there would be a cost savings of about \$88,000.

MOTION: Heier moved and Schorr seconded to authorize the Youth Services Center Director to hire two additional FTE's above the complimentary for the purpose of vacancies. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

Banks also indicated it takes about two hours to dispense medications and his staff has found storage places in every unit to place those prescriptions. He said because of the new placement, the prescriptions, medications and non-prescriptions can be dispensed a lot faster.

**5 LOCAL LAW ENFORCEMENT BLOCK GRANT - Terry Wagner, County Sheriff;
Bill Jarrett, Chief Deputy Sheriff**

Bill Jarrett, County Sheriff, appeared and distributed documentation regarding the Local Law Enforcement Block Grant for 2005/2006 (Exhibit C). He indicated the County's match is \$2,442 and this is the third year they have been receiving the Local Law Enforcement Block Grant, which has decreased to \$24,418. He said there needs to be a public hearing and board approval in order to get the grant.

MOTION: Workman moved and Heier seconded to hold a public hearing next Tuesday regarding the grant and request discussion with Dave Kroeker about where the monies will come from. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

6 FAMILIES FIRST & FOREMOST SITE - VISIT EXIT SUMMARY - Sheryl Schrepf, F³ Director; Renee Dozier, F³ Deputy Director

Present were Liz Sweet, Federal Project Officer; Vera Pina, Peer Mentor; Scott Bryant-Comstock; and Pat Baker.

Liz Sweet, Federal Project Officer, appeared and indicated this is the last year of funding and she wanted to thank the County Board for all the hard work everyone in Lancaster County has done. She said as they award funds throughout the country they are looking for specific kinds of sites that can help them in replicating that type of work across the country. Sweet said Lancaster County has been one of the county based sites that has a combination of urban community with a rural extension into the rest of the County.

Schorr asked Sweet to talk about the potential for the structure that was built for Lancaster County for receiving other federal grant funds.

Sweet indicated she is excited about the 0 to 5 population in the work they are doing. She said they are looking at some potential joint programming between the County and maternal and child health.

Workman asked what Lancaster County could have done better or different.

Sweet reported that because of the program, there are two meetings a year where the grantees get together. She said it would be nice if a County Commissioner would attend the meeting for a greater understanding of what the program is.

7 REVISIONS TO COMMISSIONER'S AWARD OF EXCELLENCE GUIDELINES - Pat Kant, Personnel Coordinator

Pat Kant, Personnel Coordinator, appeared and indicated she has made some changes to the Commissioner's Award of Excellence Guidelines according to the Board's direction. She said she added information on teams at the criteria level of three, adjusted the information relating to the input from the Department Head and added a section on Department Heads and the people that are not covered.

Kant noted she also had a question about bonds vs. gift certificates and said the gift certificates were given at a longevity ceremony which are exempted under the IRS regulations for withholding. She said this type of ceremony should withhold taxes accordingly, which is done on a bond. Kant also noted the costs incurred to purchase U.S. Savings Bonds will be paid by the County Board, where it used to be charged to the employee's departmental budget.

The Board agreed to put the new Commissioner's Award of Excellence Guidelines on a Tuesday's agenda in two weeks.

8 DRUG COURT PERSONNEL UPDATE - Kim Etherton, Community Corrections Director; Tom Fox, Deputy County Attorney

Kim Etherton, Community Corrections Director, appeared and indicated the Interlocal Agreement between the State of Nebraska Probation Administration and Lancaster County is scheduled to terminate August 31, 2004. She is requesting the agreement between Probation and the County be extended for six months beginning September 1, 2004.

Tom Fox, Deputy County Attorney, stated the Legislature and Civil Services Statutes doesn't give any authority to just transfer employees over without an open examination and make them a status employee immediately.

Stevens said maybe they need legislation that addresses the fact that this was a federal grant which funded this through one mechanism and when the funds ran out it was more appropriate to have the program shifted from one government entity to another.

Eagan noted the employees are in classified positions governed by the civil service and there is a whole set of statutes that dictate how that works.

Don Taute, Personnel Director, appeared and said they could start the application process earlier so that when the 6-month time frame runs out they can get someone on board right away.

The Board agreed the contract would go back on a Tuesday's agenda.

9 AFSCME CONTRACT - Don Taute, Personnel Director; John Cripe, Classification and Compensation Manager; Tom Fox, Deputy County Attorney

Don Taute, Personnel Director, appeared and indicated the AFSCME Contract has been signed and will be on Tuesday's agenda. He stated they added the definition of just cause and had two minor changes to Lancaster Manor's rules. Taute said the change from the prior distribution of sick leave upon retirement or death was that 55% was paid out, 1/3 cash and 2/3 into PEHP and the change is for 100% to go into the PEHP account. Taute also noted Dennis Banks is in favor of trying to establish a sick leave incentive for his employees because of the usage. He said they discussed hiring over compliment and having 12-hour shifts.

Taute also reported the AFSCME employees will receive a 2.96% increase and forgo the PEHP contribution and all payroll checks will be distributed in envelopes if they cannot be delivered directly to the employee.

10 APPLICATION FOR A SPECIAL DESIGNATED LICENSE FROM ARBOR TRAILS WINERY LOCATED AT 6450 "J" ROAD, IN NEBRASKA CITY, NEBRASKA, TO PARTICIPATE IN A WINE FESTIVAL IN CONNECTION WITH THE NEBRASKA STATE FAIR, BEGINNING ON FRIDAY, SEPTEMBER 3, 2004 AND ENDING SUNDAY, SEPTEMBER 5, 2004. HOURS OF OPERATION WILL BE 12:00 P.M. TO 10:00 P.M. (ACTION REQUIRED)

11 APPLICATION FOR A SPECIAL DESIGNATED LICENSE FROM MCFARLANE FAMILY FARMS, LLC, "MAC'S CREEK VINEYARDS AND WINERY", LOCATED AT 43315 ROAD 757, LEXINGTON, NEBRASKA, TO PARTICIPATE IN A WINE FESTIVAL IN CONNECTION WITH THE NEBRASKA STATE FAIR, BEGINNING ON FRIDAY, SEPTEMBER 3, 2004 AND ENDING ON SUNDAY, SEPTEMBER 5, 2004. HOURS OF OPERATION WILL BE 12:00 P.M. TO 10:00 P.M. (ACTION REQUIRED)

MOTION: Schorr moved and Heier seconded to approve the Special Designated License from Arbor Trails Winery and McFarlane Family Farms, LLC. Hudkins, Heier, Schorr, Stevens and Workman voted aye. Motion carried.

12 ACTION ITEMS

- A. Release of Opinion Regarding County's Obligation to Fund Developmental Disabilities

Eagan asked the Board if the legal opinion regarding the County's obligation to fund developmental disabilities should be released.

The Board agreed to release the legal opinion.

- B. Letter from Dana F. Cole and Company, LLP, to Confirm Their Understanding of the Services They are to Provide Lancaster County for Year Ended June 30, 2004
- C. Letter from Dana F. Cole and Company, LLP, to Confirm Their Understanding of the Services They are to Provide the Lancaster County Leasing Corporation for the Year Ended June 30, 2004

MOTION: Schorr moved and Workman seconded to approve the letters from Dana F. Cole and Company, LLP. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- D. Microcomputer Request C#2004-323, \$4,355.46, for Software for County Attorney from Drug Fund

MOTION: Workman moved and Hudkins seconded to approve the Microcomputer Request from the County Attorney. Heier, Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

- E. Common Agenda Items (September 7, 2004)

There were not any Common Agenda items mentioned.

13 ADMINISTRATIVE OFFICER REPORT

- A. Policies: Computer, Personal Digital Assistants and Cellular Phones

Gwen Thorpe, Deputy Chief Administrative Officer, appeared and reported she took out the minimum amount the Board approved, which used to be \$500 or less, however the Board was still getting requests for \$500 or less, which includes all hardware, PDA's and desktop printers.

Thorpe also said she added the sentence on page 52 that says, "When the computer request submitted with your budget is approved by the Board of Commissioners, you may move forward with the request by contacting Information Services".

Stevens suggested adding to all the policies on page 50 below the last paragraph that if a person has a company cell phone, computer or PDA that they cannot use it for personal use unless it is a life or death situation. Stevens also suggested removing the last sentence in item number 2 under the Cellular Phone policy.

- B. Letter from Building and Safety to David Samani, Husker Off Road Riding Club

Hudkins requested clarification as to the item's placement on the agenda and requested Mike Merwick, Building and Safety Director, to attend the Board meeting to clarify his conversation with David Samani.

The Board held the item until Mr. Merwick could attend the Board meeting.

Hudkins reported again he did not request the letter be on the agenda, but that he requested a report from Mike Merwick, Building and Safety Director.

Heier existed the meeting, expressing concern that this may be a potential pending litigation issue.

Mike Merwick, Building and Safety Director, appeared and indicated the Motocross problem has been going on for several months and his office has continued to get several complaints from neighbors. He said that he has checked the area several times over the past few months and determined that there is a zoning violation. Merwick said a letter was sent to David Samani stating there is a violation of the Lancaster County AG Zoning Resolution and the riding must cease immediately. Merwick said as of August 18, 2004, the Motocross Riding Club has been shut down.

Merwick also noted there is pending litigation right now and does not feel comfortable discussing the issue in any greater depth.

C. Director Review Committee Update

John Cripe appeared and indicated the committee talked about a variety of ways of accomplishing future evaluations, market related adjustments on an annualized basis and performance issues. He said they talked about having the Directors come in with developed goals for the following year, along with how they will spend their money in the budget. Cripe said the following year the Director would come in and represent how well they did against the goals that were given. Cripe said the value of the position is different than the quality of the individual who occupies it. He suggested placing the value of the position based on replacement and/or responsibilities of the position, not who occupies the position.

Don Taute also appeared and said a performance based increase can also be done, which could be considered a non-accumulative performance award.

D. Correspondence from Mayor Seng Regarding Jail Interlocal

Stevens reported he strongly disagrees with some of the items outlined in the Mayor's letter that they tried to resolve. He said the liability and reimbursement issues have been explained to the Mayor several times and he believes maybe it hasn't been adequately explained by the Mayor to the Chief of Police.

The Board agreed to have Eagan send a letter to Mayor Seng, answer the concerns that were outlined with an expected response in 10 days and let her know that they would like to get together and discuss the interlocal.

E. Community Corrections Planning Meeting (September 1, 2004)

Thorpe indicated Kim Etherton, Community Corrections Director, would like the Commissioners to attend the Community Corrections Planning meeting on September 1st from 8:30 to 11:00 a.m..

F. NACO Southeast District Meeting (September 9, 2004)

Eagan reported the Investment Performance Review from Nationwide Retirement Solutions is set for September 9th, which is the same day of the NACO Meeting.

The Board asked Eagan to see if Nationwide could come to Lincoln on a different day.

The Board agreed to not have a Management Team meeting on September 9th and have it on September 2nd instead.

G. Request from Kit Boesch to Advance Funding to Family Services

Stevens reported Kit Boesch would like to expedite the County's Joint Budget Committee Contract to Family Services in the amount of \$218,750. He said the contract needs to be signed immediately after the Board meeting on Tuesday and 1/4 of the contract needs to be expedited to Family Services so they can make payroll this month.

H. Development Disability Provider Contracts

Eagan reported there are notices to all of the Development Disability providers that states their funding ends September 30, 2004. He said the Board put in this year's budget to fund the providers for an additional quarter and an amended notice of termination needs to be done. Eagan asked the Board if all agencies should be treated equal and also said the money is disbursed pro rata based on the number of units of service they have in relation to the whole County.

Workman suggested treating them all equally.

Eagan said he would draft letters amending the termination notice and they would go on the County Board's agenda for approval.

14 ADJOURNMENT

MOTION: Workman moved and Heier seconded to adjourn the staff meeting at 11:27 a.m. Heier, Hudkins, Schorr, Stevens and Workman voted aye. Motion carried.

Lancaster County Clerk
Bruce Medcalf